

SENATE BILL 498

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F5

2003 Regular Session
(3r1604)

ENROLLED BILL
-- Budget and Taxation/Appropriations --

Introduced by **Senators Hogan and McFadden (Task Force to Study Public School Facilities)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Public School Facilities**

3 FOR the purpose of extending the Aging Schools Program; modifying the
4 requirements for the content of a plan; extending for a certain period certain
5 requirements relating to the State and local share of costs for school
6 construction projects in Baltimore City; *altering a certain requirement for the*
7 *local appropriation for school construction in Baltimore City*; modifying the
8 membership and charge of a certain task force; altering the date by which a
9 certain task force must submit a final report to the Governor and General
10 Assembly; altering a certain termination date; repealing a certain termination
11 provision; providing for the effective dates of this Act; and generally relating to
12 public school facilities.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 5-206(f) and 5-401(c)

1 Annotated Code of Maryland
 2 (2001 Replacement Volume and 2002 Supplement)
 3 (As enacted by Chapter 288 of the Acts of the General Assembly of 2002)

4 BY repealing and reenacting, without amendments,
 5 Article - Education
 6 Section 5-401(a) and (b)
 7 Annotated Code of Maryland
 8 (2001 Replacement Volume and 2002 Supplement)
 9 (As enacted by Chapter 288 of the Acts of the General Assembly 2002)

10 BY repealing and reenacting, with amendments,
 11 Chapter 280 of the Acts of the General Assembly of 2001, as amended by
 12 Chapter 288 of the Acts of the General Assembly of 2002
 13 Section 1, 2, and 3

14 BY repealing and reenacting, with amendments,
 15 Chapter 288 of the Acts of the General Assembly of 2002
 16 Section 5

17 BY repealing
 18 Chapter 288 of the Acts of the General Assembly of 2002
 19 Section 24

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article - Education**

23 5-206.

24 (f) In fiscal year 2004 AND IN EACH FISCAL YEAR THEREAFTER, the State
 25 shall distribute grants to county boards under the Aging Schools Program
 26 administered by the Interagency Committee on School Construction in the following
 27 amounts:

28	(1)	Allegany County	\$355,000
29	(2)	Anne Arundel County	\$570,000
30	(3)	Baltimore City	\$1,635,000
31	(4)	Baltimore County.....	\$2,940,000
32	(5)	Calvert County	\$65,000
33	(6)	Caroline County	\$85,000

1	(7)	Carroll County	.....	\$385,000
2	(8)	Cecil County	.....	\$355,000
3	(9)	Charles County	.....	\$65,000
4	(10)	Dorchester County	.....	\$65,000
5	(11)	Frederick County	.....	\$85,000
6	(12)	Garrett County	.....	\$85,000
7	(13)	Harford County	.....	\$400,000
8	(14)	Howard County	.....	\$65,000
9	(15)	Kent County	.....	\$65,000
10	(16)	Montgomery County	.....	\$1,170,000
11	(17)	Prince George's County	.....	\$970,000
12	(18)	Queen Anne's County	.....	\$85,000
13	(19)	St. Mary's County	.....	\$85,000
14	(20)	Somerset County	.....	\$65,000
15	(21)	Talbot County	.....	\$155,000
16	(22)	Washington County	.....	\$200,000
17	(23)	Wicomico County	.....	\$355,000
18	(24)	Worcester County	.....	\$65,000

19 5-401.

20 (a) (1) In this section the following words have the meanings indicated.

21 (2) "Local performance standards" means standards for student and
22 school performance developed by a county board.

23 (3) "Plan" means a comprehensive master plan.

24 (4) "State performance standards" means standards for student and
25 school performance approved by the State Board.

26 (b) (1) Each county board shall develop and implement a comprehensive
27 master plan that describes the goals, objectives, and strategies that will be used to
28 improve student achievement and meet State performance standards and local
29 performance standards in each segment of the student population.

1 (2) (i) Each county board shall submit a plan to the Department on or
2 before October 1, 2003.

3 (ii) At least 60 days before submitting a plan to the Department, a
4 county board shall provide a copy of the plan to the:

5 1. County council and if applicable, county executive; or

6 2. County commissioners.

7 (3) Subject to subsection (h) of this section, the plan shall:

8 (i) Extend for a 5-year period beginning with the 2003-2004 school
9 year; and

10 (ii) Be updated by the county board on or before July 1 of each year.

11 (c) The plan shall include:

12 (1) Goals and objectives as required under subsections (d) through (f) of
13 this section that are aligned with State performance standards and local performance
14 standards;

15 (2) Implementation strategies for meeting goals and objectives;

16 (3) Methods for measuring progress toward meeting goals and objectives;

17 (4) Time lines for implementation of the strategies for meeting goals and
18 objectives;

19 (5) Time lines for meeting goals and objectives;

20 (6) A description of the alignment of the county board's budget with
21 goals, objectives, and strategies for improving student achievement; [and]

22 (7) THE IMPACT OF THE PROPOSED GOALS, OBJECTIVES, AND
23 IMPLEMENTATION STRATEGIES ON PUBLIC SCHOOL FACILITIES AND CAPITAL
24 IMPROVEMENTS THAT MAY BE NEEDED TO IMPLEMENT THE PLAN; AND

25 [(7)] (8) Any other information required by the State Superintendent.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
27 read as follows:

28 **Chapter 280 of the Acts of 2001, as amended by Chapter 288 of the Acts of**
29 **2002**

30 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
31 MARYLAND, That, notwithstanding any other provision of law, for fiscal years 2002
32 through [2004] 2005, in each year, the State shall provide 90 percent of the eligible
33 costs for up to and including \$20 million in public school construction projects in

1 Baltimore City, and for funding above \$20 million, the State shall provide 75 percent
2 of the eligible costs.

3 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the
4 provisions of Section 1 of this Act, Baltimore City shall appropriate for school
5 construction in fiscal years 2002 through [2004] 2005, in each year, at least ~~\$12.4~~ \$16
6 million, ~~the amount that Baltimore City appropriated in fiscal 2001 to match the~~
7 ~~State funds provided in fiscal 2001 for school construction in Baltimore City.~~

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, 2001. It shall remain effective for a period of [3] 4 years and, at the end of
10 June 30, [2004] 2005, with no further action required by the General Assembly, this
11 Act shall be abrogated and of no further force and effect.

12 **Chapter 288 of the Acts of 2002**

13 SECTION 5. AND BE IT FURTHER ENACTED, That:

14 (a) There is a Task Force to Study Public School Facilities.

15 (b) The Task Force shall review, evaluate, and make findings and
16 recommendations regarding the following issues relating to the State's school
17 construction program:

18 (1) whether public school facilities are adequate to support programs
19 funded through an adequate operating budget as proposed by the Commission on
20 Education Finance, Equity, and Excellence in its January 2002 Final Report;

21 (2) the equity of the State's school construction program, particularly the
22 equity of the State and local cost shares for school construction projects;

23 (3) whether the Aging Schools Program should be continued as a
24 permanent program AND IF SO, WHETHER THE CURRENT ALLOCATION OF PROGRAM
25 FUNDS SHOULD BE CONTINUED PERMANENTLY OR SHOULD BE MODIFIED; [and]

26 (4) WHETHER THE STATE SHOULD PROVIDE A GREATER SHARE OF
27 ELIGIBLE SCHOOL CONSTRUCTION COSTS FOR:

28 (I) SCHOOLS WITH 50% OR MORE OF THE STUDENTS ELIGIBLE FOR
29 FREE AND REDUCED PRICE MEALS;

30 (II) SMALL SCHOOLS CONSTRUCTED OR RENOVATED IN A PRIORITY
31 FUNDING AREA; AND

32 (III) SCHOOLS IN QUALIFIED DISTRESSED COUNTIES AS DEFINED
33 IN ARTICLE 83A, § 5-701 OF THE CODE; AND

34 [(4)] (5) any other matter that the Task Force determines to be relevant
35 to an evaluation of the adequacy and equity of the State's school construction
36 program.

- 1 (c) The Commission shall be composed of [21] 23 members as follows:
- 2 (1) a chairman appointed by the Governor;
- 3 (2) two members of the Senate of Maryland, appointed by the President
4 of the Senate;
- 5 (3) two members of the House of Delegates of Maryland, appointed by
6 the Speaker of the House;
- 7 (4) the Executive Director of the Interagency Committee on School
8 Construction;
- 9 (5) the State Superintendent of Schools, or the State Superintendent's
10 designee;
- 11 (6) the Secretary of the Department of Budget and Management, or the
12 Secretary's designee;
- 13 (7) the Secretary of the Department of General Services, or the
14 Secretary's designee;
- 15 (8) THE SECRETARY OF THE DEPARTMENT OF PLANNING, OR THE
16 SECRETARY'S DESIGNEE;
- 17 [(8)] (9) a member of the State Board of Education;
- 18 [(9)] (10) three representatives of county governments, appointed by the
19 Governor;
- 20 [(10)] (11) three representatives of local boards of education, appointed by
21 the Governor;
- 22 [(11)] (12) three educators who work in public schools in the State,
23 appointed by the Governor; and
- 24 [(12)] (13) [two] THREE members of the public, appointed by the
25 Governor, ONE OF WHOM SHALL HAVE EXPERIENCE AS DIRECTOR OF A STATE
26 SCHOOL CONSTRUCTION PROGRAM.
- 27 (d) To the extent practicable, the Governor shall attempt to ensure regional,
28 ethnic, economic, and gender diversity on the Task Force.
- 29 (e) The Interagency Committee on School Construction, the Maryland State
30 Department of Education, the Department of Budget and Management, and the
31 Department of Legislative Services, jointly, shall provide staff support to the Task
32 Force.
- 33 (f) The Task Force shall:

1 (1) be appointed and begin its deliberations no later than June 1, 2002;
2 [and]

3 (2) submit [a] AN INTERIM report of its findings and recommendations
4 to the Governor and, in accordance with § 2-1246 of the State Government Article,
5 the General Assembly on or before December 31, 2002; AND

6 (3) SUBMIT A FINAL REPORT OF ITS FINDINGS AND RECOMMENDATIONS
7 TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE
8 GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 31,
9 2003.

10 (g) The Task Force shall terminate on [December 31, 2002] MAY 1, 2004.

11 [SECTION 24. AND BE IT FURTHER ENACTED, That § 5-206(f) of the
12 Education Article as enacted by Section 2 of this Act, shall be abrogated and of no
13 further force and effect July 1, 2004.]

14 SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall
15 take effect July 1, 2003, the effective date of Chapter 288, Section 2 of the Acts of the
16 General Assembly of 2002. If the effective date of Chapter 288, Section 2 is amended,
17 this Act shall take effect on the taking effect of Chapter 288, Section 2.

18 SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in
19 Section 3 of this Act, this Act shall take effect June 1, 2003.